



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

June 13, 2014

To: Governor's Office, Tim Baker, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

Director's Office	Parks Division	Lands Section	FWP Commissioners
Fisheries Division	Legal Unit	Wildlife Division	Design & Construction

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923

Ladies and Gentlemen:

The enclosed Decision Notice has been prepared to purchase a 30-foot wide permanent road easement which would allow the public to cross 0.66 miles, in three separate road segments, of Denhan Ranches Incorporated, a long-time ranching family. The easement will be held by the Bureau of Land Management (BLM) and serve both BLM and US Forest Service administered land in the Medicine Lodge drainage. In the unlikely event that the BLM would relinquish the road easement, the easements would transfer free of charge to FWP.

The cost of the road easement is \$33,000 and will be shared between several partners including FWP, Rocky Mountain Elk Foundation (RMEF), Beaverhead Outdoors Association and Skyline Sportsmen Association.

The Draft EA is available for review in Helena at FWP's Headquarters, the State Library, and the Environmental Quality Council. It also may be obtained from FWP at the address provided above, or viewed on FWP's Internet website: <http://www.fwp.mt.gov>.

Based on the Environmental Assessment, public comment, and the need to improve access to public land in southwest Montana, FWP's decision is to proceed with the proposed access easement project.

Questions regarding this Decision Notice should be mailed to:

Craig Fager
730 North Montana St.
Dillon, MT 59725

Email: cfager@mt.gov
Fax: 406-683-4126
Phone: 406-683-9305

Thank you for your interest.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. J. Flowers', enclosed within a large, loopy oval shape.

Patrick J. Flowers
Region Three Supervisor

Attachment

ENVIRONMENTAL ASSESSMENT DECISION NOTICE

Medicine Lodge Access Easement

Montana Fish, Wildlife & Parks

Region 3, Bozeman

June 11, 2014

Proposed Action

Montana Fish, Wildlife & Parks (FWP) proposes to purchase a 30-foot wide permanent road easement which would allow the public to cross 0.66 miles, in three separate road segments, of Denhan Ranches Incorporated, a long-time ranching family. The easement will be held by the Bureau of Land Management (BLM) and serve both BLM and US Forest Service administered land in the Medicine Lodge drainage. In the unlikely event that the BLM would relinquish the road easement, the easements would transfer free of charge to FWP.

The road easement will provide motorized access to Ayers Canyon through 0.16 miles of private road between the Medicine Lodge Road and BLM ownership. The road easement will also provide motorized access to Kate Creek through two private road segments of 0.29 and 0.21 miles on the northwest corner of Ellis Peak. The Kate Creek road is acknowledged to be steep and travel will be impractical following precipitation events. The Ayers Canyon and Kate Creek roads will receive minimal maintenance, retaining their current primitive character and use for 4-wheel drive and off highway vehicles (OHV).

The cost of the road easement is \$33,000 and will be shared between several partners including FWP, Rocky Mountain Elk Foundation (RMEF), Beaverhead Outdoors Association and Skyline Sportsmen Association.

Montana Environmental Policy Act

FWP is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, a draft Environmental Assessment (EA) was prepared by FWP for the proposed project and released on May 9, 2014 for a 30-day public comment period. The draft EA was titled: Medicine Lodge Access Easement. The draft EA was circulated to a standard FWP Region 3 contact list and was also posted and remains available for viewing on the FWP webpage: <http://fwp.mt.gov/news/publicNotices>. Legal notice indicating release of the EA was sent to the *Dillon Tribune* and *Montana Standard*.

Summary of Public Comment and FWP Response

Two written public comments were received during the 30-day EA review period ending June 9, 2014. Both comments were supportive of the project. One comment noted the importance of a family hunting tradition in the Kate Creek area since 1967. The other indicated that the project is a good example of neighbors and government working together and that the cost of the easement is fair.

FWP Response: The comments are noted and there are no changes required to the scope or analysis completed in the draft EA.

Final Environmental Assessment for the EA titled: Medicine Lodge Access Easement

The EA anticipated the funds for the project would include \$14,000 each from FWP and RMEF and \$5000 combined from Beaverhead Outdoors Association and Skyline Sportsmen's Association. The actual contributions from the Beaverhead Outdoors and Skyline Sportsmen's Associations came to \$4,500. Subsequently RMEF agreed to increase their contribution by \$500. This is the only modification necessary to the draft EA. The updated Environmental Assessment, together with this Decision Notice, will serve as the final document for this proposal.

Decision

Based on the Environmental Assessment, public comment, and the need to improve access to public land in southwest Montana, FWP's decision is to proceed with the proposed access easement project.

I find there to be no significant impacts on the human and physical environments associated with this project. Therefore, I conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



Patrick J. Flowers
Region Three Supervisor